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DOC #:
DATE FILED: 12/26/12

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

-----X
MICROSOFT CORPORATION,

Plaintiff,

-against-

DATATERN, INC.,

Defendant.
-----X

SAP AG and SAP AMERICA, INC.,

Plaintiffs,

-against-

DATATERN, INC.,

Defendant.
-----X

11 CIVIL 2365 (KBF)

11 CIVIL 2648 (KBF)

JUDGMENT

Whereas the above-captioned action having come before this Court, and the matter having come before the Honorable Katherine B. Forrest, United States District Judge, and the Court, on December 19, 2012, having rendered its Order denying Defendant's motion to amend/correct, granting Plaintiffs' motions for summary judgment of non-infringement, dismissing Plaintiffs' claims for declaratory judgment of invalidity without prejudice as moot, granting Plaintiffs SAP America, Inc., and SAP AG's ("SAP") motion to enjoin DataTern, Inc., and all attorneys or other persons in active concert or participation with DataTern, Inc., from directly or indirectly charging infringement, or instituting any further action for infringement of the '402 or '502 Patents against SAP or any of its customers, licensees, distributors, users, or suppliers for technology purchased from SAP, and denying Defendant's Rule 56(d) motion as moot, it is,

ORDERED, ADJUDGED AND DECREED: That for the reasons stated in the Court's Order dated December 19, 2012, Defendant's motion to amend/correct is denied; Plaintiffs'

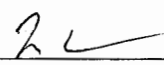
motions for summary judgment of non-infringement are granted; Plaintiffs' claims for declaratory judgment of invalidity are dismissed without prejudice as moot; Plaintiffs SAP America, Inc., and SAP AG's ("SAP") motion is granted to enjoin DataTern, Inc., and all attorneys or other persons in active concert or participation with DataTern, Inc., from directly or indirectly charging infringement, or instituting any further action for infringement of the '402 or '502 Patents against SAP or any of its customers, licensees, distributors, users, or suppliers for technology purchased from SAP, and Defendant's Rule 56(d) motion is denied as moot; accordingly, both actions are closed.

Dated: New York, New York
December 26, 2012

RUBY J. KRAJICK

Clerk of Court

BY:



Deputy Clerk

**THIS DOCUMENT WAS ENTERED
ON THE DOCKET ON _____**